

1 WHEREAS, the Court held an early neutral evaluation (“ENE”) on February 1, 2008 in
2 the above-entitled action before the Hon. Ruben B. Brooks;

3 WHEREAS, the Court issued the “Case Management Conference Order Regulating
4 Discovery and Other Pretrial Proceedings” dated February 1, 2008 following the ENE;

5 WHEREAS, the parties were awaiting a ruling on Plaintiff’s motion to remand to state
6 court for lack of subject matter jurisdiction from the Hon. Larry A. Burns to complete their
7 respective Rule 26(a) initial disclosures;

8 WHEREAS, the Parties served their initial disclosures on April 21, 2008;

9 WHEREAS, Plaintiff served a 30-day notice to Defendant pursuant to the Consumers
10 Legal Remedies Act pursuant to California Civil Code Section 1782(d) on April 18, 2008;

11 WHEREAS, the Parties anticipate the filing of a First Amended Complaint on or before
12 May 28, 2008;

13 WHEREAS, the “Case Management Conference Order Regulating Discovery and Other
14 Pretrial Proceedings” required that a motion to certify the class in the above-captioned case be
15 filed on or before June 2, 2008;

16 WHEREAS, the amendment to the Complaint will make the filing of a motion for class
17 certification on or before June 2, 2008 impractical, and will require the extension of other
18 discovery and case management dates;

19 IT IS HEREBY STIPULATED (pending Court approval) that the dates initially set in the
20 Case Management Conference Order for the following proceedings be revised as follows:

21 (1) Plaintiff’s final day to file the First Amended Complaint shall be May 28, 2008;

22 (2) Defendant’s final day to file its responsive pleading to the First Amended
23 Complaint shall be June 27, 2008;

24 (3) Plaintiff’s final day to file a motion for class certification shall be August 25,
25 2008;

26 (4) Defendant’s final day to file its response in opposition to the motion for class
27 certification shall be September 15, 2008;

28 (5) Plaintiff’s final day to file a reply motion in support of the motion for class

certification shall be September 29, 2008;

- (6) The “further settlement conference” shall be continued from June 26, 2008 to a suitable date that occurs within two weeks of the Court’s ruling on the motion for class certification;
- (7) The discovery completion date shall be continued from November 3, 2008 to January 12, 2009;
- (8) The final day to serve interrogatories and requests for production of documents shall be continued from September 1, 2008 to November 3, 2008;
- (9) The designation of the case-in-chief experts shall be continued from September 1, 2008 to November 3, 2008;
- (10) The designation of rebuttal experts shall be continued from September 29, 2008 to December 1, 2008; and
- (11) The final date to file pretrial motions shall be continued from December 1, 2008 to February 9, 2009.

Dated: May 14, 2008

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Dated: May 14, 2008

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